

Written Testimony On Council Bills #^, #7, #8 and #9 – submitted by Barbara J. Smith

Once again I am writing to voice my opinion of these proposed bills that will be heard at a special meeting of the City Council on Thursday, March 27.

Bill #6 - I am opposed to this bill which would legalize B & B's in residential zones by conditional use permit process.

All the conditions contained in this bill are shibai because they place "the burden of proof" on neighbors and not on the applicant.

The current law has been un-enforced due to lack of funds, manpower and interest on the part of the city to actively enforce neither it nor the conditions attached to it.

It is very bad government policy to pass a new law that would be even harder to enforce and which changes our residential zoning without residents voting on said changes.

Bill #7 - I am opposed to this bill because it considers B & B's a "home occupation" whereas in reality they cater to our largest industry and in no way, shape or form can be considered a home or "cottage" occupation/industry.

Again it appears that the City Council is trying to actually change our residential zoning, which was carefully thought out in the Oahu Development Plans, without going through proper processes to change the zoning contained in those Plans.

Bill #9 – I am opposed to this bill because it is poorly written, it's intent is not clear, and will not make it easier to enforce the current law.

Please reject Bill's #6, #7, and #9.

Bill #8 – I am in favor of this bill because it strengthens the existing law by providing additional enforcement tools against illegal transient tourist accommodations (B& B's, TVR's, TVU's, etc) and set fines for those illegally operating same.

Please pass Bill #8.

Government should never pass a new bill to replace one some consider obsolete, but instead should strengthen the existing law first and then aggressively enforce it.

This problem of illegal transit vacation accommodations, of any ilk, is not a problem restricted to just a few neighborhoods, but affects the whole island of Oahu.

So once again I ask you - If you pass laws to make such accommodations legal with few or any restrictions – WHERE ARE THE PEOPLE WHO SERVE THE TOURISTS GOING TO LIVE? In the street, on the beaches, under the freeways, in our parks, on our school grounds? Think about it very carefully before you pass a new law to replace the one passed in 1988/89.

I refer you to a column on the editorial page of the Star Bulletin on March 18, 2008. This was written by a many time visitor to our island. Perhaps, by our lack of enforcement of existing laws, we are already "killing the goose that laid the golden egg".

Thank you, Barbara J. Smith, 363 Lapa Pl. Kailua, Hi. 96734

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